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Attorney Docket No. CST-213

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bacus *et al.*  
ASSIGNEE: CELL SIGNALING TECHNOLOGY, INC.  
SERIAL NUMBER: 10/735,118 EXAMINER: Not Yet Assigned  
FILING DATE: December 11, 2003 ART UNIT: 1642  
FOR: METHOD FOR PREDICTING RESPONSE TO HER-2 DIRECTED THERAPY

## CERTIFICATE OF FACSIMILE TRANSMISSION

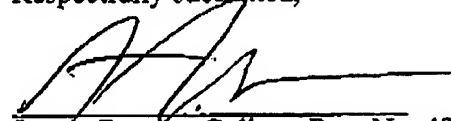
I hereby certify that this correspondence, and any documents referred to as attached hereto, is/are being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, Facsimile Number: (571) 273-8300, attn. Art Group 1642, on this 21st of July, 2005.

  
Shari R. M. Hewson

Attached hereto for filing in the above-identified patent application is/are:

☒ Preliminary Amendment Under 37 C.F.R. §1.115

Respectfully submitted,



James Gregory Cullem, Reg. No. 43,569  
Intellectual Property Counsel  
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Patent Agent  
CELL SIGNALING TECHNOLOGY, INC.

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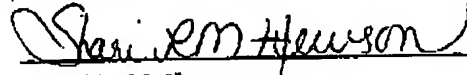
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**CERTIFICATE OF FACSIMILE TRANSMISSION****37 C.F.R. §1.8a**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to USPTO central fax number (571) 273-8300, attn: Art Group 1642, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Date: July 21, 2005

  
Shari R. M. HewsonJuly 21, 2005  
Beverly, Massachusetts

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRELIMINARY AMENDMENT UNDER 37 C.F.R. §1.115**

Pursuant to 37 C.F.R. §1.115, Applicants respectfully request that the present Preliminary Amendment be entered in the above-identified application. A first Office Action has not yet been issued in this case.

**The Listing of Claims:** Presented at pages 2-6 of this paper.

**Remarks:** Presented at pages 7-8 of this paper.

This Preliminary Amendment complies with the requirements of 37 C.F.R. §1.121.